GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:245
ANSWERED ON:24.07.2001
MEASURES SUGGESTED BY NHRC AGAINST ILLEGAL DETENTION
SULTAN SALAHUDDIN OWAISI

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether despite various recommendations by the NHRC to reform the police, the complaints in the Commission against the cases of illegal detention have been on the rise;

(b) if so, whether illegal detention cases have gone up during the last two years;

(c) if so, the main reasons therefor;

(d) the number cases of illegal detention reported to NHRC during the last three years, State-wise;

(e) whether NHRC has suggested some measures to bring down the graph of illegal detention by the police;

(f) if so, the details thereof; and
(g) the action taken thereon?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (CH. VIDYASAGAR RAO)

(a) to (d): A statement showing the State-wise number of cases of alleged illegal detention reported to the National Human Rights Commission (NHRC) during the last three years is at Annexure `I`.There has been increase in number of allegations received by the NHRC in the last two years.Such incidents of illegal detention, wherever the allegations are found to be true, arise due to faulty implementation of the relevant laws.

(e) & (g): NHRC has in its letter dated 22.11.99 advised all States/Union Territories to implement the NHRC guidelines on `arrest` in order to minimize/prevent occurrence of cases of illegal detentions. Each complaint regarding illegal detention is dealt with individually by the Commission and depending upon the facts of each cases, specific recommendations are made to the concerned authorities. Action taken reports are then called for about implementation of the recommendations in such cases. Since, Law and Order is a State subject, it is for the State Governments/Union Territories to implement the recommendations of the Commission.

ANNEXURE-I

STATEMENT REFERRED TO PART (A) TO (D) OF THE LOK SABHA UNSTARRED QUESTION NO.245 FOR 24.7.2001

STATE-WISE NUMBER OF CASES OF ALLEGED ILLEGAL DETENTION REPORTED TO NHRC DURING THE LAST YRARS

S.No. Name of State/Uts 998-99 99-2000 2000-2001

1. ANDHRA PRADESH 06 07 19

2. ARUNACHAL PRADESH

3. ASSAM 03 01 02

4. BIHAR 10 30 16

5. GOA 01 02
6. GUJARAT 02 06 08

7 HARYANA 11 29 54

8. HIMACHAL PRADESH

9. JAMMU & KASHMIR 05 04
10. KARNATAKA 06 05 15
11. KERALA 08 01 02
12. MADHYA PRADESH 14 11 22
13. MAHARASHTRA 03 11 17
14. MANIPUR 01 01
15. MEGHALAYA
16. MIZORAM
17. NAGALAND
18. ORISSA 04 01 06
19. PUNJAB 10 17 04
20. RAJASTHAN 06 28 12
21. SIKKIM
22. TAMIL NADU 29 17 45
23. TRIPURA
24. UTTAR PRADESH 298 956 964
25. WEST BENGAL 02 01 02
26. DELHI 18 29 17
27. UNION TERRITORIES 05 01 01
28. CHHATISGARH 01
29. JHARKHAND 43
30. UTTARANCHAL

TOTAL 436 1157 1257